

**REGULAR CITY COUNCIL
REDEVELOPMENT AGENCY
PUBLIC FINANCING AUTHORITY MINUTES
CITY OF IMPERIAL BEACH
July 20, 2005
REGULAR MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
825 Imperial Beach Boulevard
Imperial Beach, California**

CALL TO ORDER

MAYOR ROSE called the Regular Meeting to order at 6:07 p.m.

ROLL CALL

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE/INVOCATION

MAYOR ROSE led everyone in the Pledge of Allegiance and asked everyone to bow his or her head for a moment of silence.

AGENDA CHANGES

CITY MANAGER BROWN recommended pulling Item Nos. 7.1 and 7.4 from the Agenda and he stated the items would be presented to Council at a future City Council meeting.

MAYOR ROSE requested Item No 2.8 be pulled from the Consent Calendar for discussion.

MOTION BY ROSE, SECOND BY MCLEAN, TO PULL ITEM NOS. 7.1 – RESOLUTION NO. 2005-6190 ADOPTING REVISED ADMINISTRATIVE POLICY B-8; UTILITY UNDERGROUNDING COMMISSION CASE 8209 POLICY AND 7.4 – FACADE IMPROVEMENT PROGRAM FROM THE AGENDA. MOTION CARRIED UNANIMOUSLY.

CITY CLERK HALD stated three grammatical errors in the June 15, 2005 Minutes were brought to her attention just prior to the Council meeting and would be corrected.

MAYOR/COUNCIL ANNOUNCEMENTS

COUNCILMEMBER WINTER thanked the Sandcastle Committee and staff for a job well done on the Sandcastle event; she announced the South Bay Union School District Education

Foundation would be hosting a Comedy Night at Mendoza Elementary School; and she commended staff for installing the monument signs prior to the Sandcastle event.

COUNCILMEMBER MCLEAN also commended staff on a successful Sandcastle event.

MAYOR ROSE thanked Councilmember Janney for building the float that they both rode on in the Sandcastle parade, and she anticipated more participation next year; she thanked staff and community members for manning a City booth where the 50th Anniversary logo, calendar and book were displayed.

COUNCILMEMBER WINTER thanked Julie Walke for her public relations efforts, which garnered media attention for the Sandcastle event in the New York Times.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN announced crime was down by 26% in the City and down 15% in the region during the first quarter of 2005.

PUBLIC COMMENT

CITY CLERK HALD announced no public speaker slips were submitted.

PRESENTATIONS/PROCLAMATIONS (1.1)

1.1 PREVIEW OF THE FIRST EPISODE OF "IBTV" - AN ORIGINAL VIDEO PROGRAM THAT PROFILES THE PEOPLE, PLACES AND ACTIVITIES UNIQUE TO THE COMMUNITY OF IMPERIAL BEACH. (0160-53)

CITY MANAGER BROWN reported there were some scheduling conflicts.

ASSISTANT CITY MANAGER RITTER requested the item be trailed at the end of the meeting due to scheduling conflicts, and he reported the program would be aired on the government channel next week.

CONSENT CALENDAR (2.1 - 2.13)

MAYOR ROSE requested Item No. 2.8 be pulled for discussion after the Consent Calendar; she announced that she would not be voting on Item No. 2.6 as she had a potential conflict of interest on the item as she lives within 500 feet of the project.

COUNCILMEMBER WINTER announced that she and Councilmember McCoy would be voting on Item No. 2.9, as they do not have a conflict of interest on the item.

CITY ATTORNEY LOUGH clarified that Item No. 2.9 relates to the selection of a civil engineer and there would be no foreseeable impact on their incomes.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.5 AND 2.7 THRU 2.13 WITH CORRECTIONS TO THE JUNE 15, 2005 MINUTES AND TO PULL ITEM NO 2.8 FOR DISCUSSION AT THE END OF THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.

IN REGARD TO ITEM NO. 2.6, MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, WINTER, MCLEAN, JANNEY
NOES:	COUNCILMEMBERS:	NONE
DISQUALIFIED:	COUNCILMEMBERS:	ROSE (DUE TO A POTENTIAL CONFLICT OF INTEREST)

2.1 MINUTES.

Approved the minutes of the Regular Meeting of June 15, 2005 with corrections and Special Workshop Meeting of June 20, 2005.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified Accounts Payable Numbers 59651 through 59789 for the period ending 07/07/05 and Payroll Register Numbers 35689 through 35765 for the period ending 06/23/05 in the amount of \$1,086,453.08.

2.3 ANNUAL TRASH WAIVER REPORT. (0270-95)

Accepted report for informational purposes only.

2.4 RESOLUTION NO. 2005-6176 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA RESCINDING CITY OF IMPERIAL BEACH COUNCIL POLICY 415 – FRANCHISED SOLID WASTE SERVICE WAIVERS. (0270-95)

1. Received report; and
2. Adopted Resolution No. 2005-6176.

2.5 COMMUNITY GRANT PROGRAM 2003-2004 IB BEAUTIFUL FINAL REPORT. (0330-15)

1. Received report; and
2. Reviewed and approved expenditures.

2.6 RESOLUTION NO. 2005-6189 AWARDED A CONTRACT FOR CERTAIN PUBLIC WORKS PROJECT – SLURRY SEAL PROGRAM – 2005 CIP #S04-106. (0720-10)

1. Received report; and
2. Adopted Resolution No. 2005-6189.

2.7 RESOLUTION NO. 2005-6188 AUTHORIZING THE FILING OF AN APPLICATION FOR THE 2005 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG). (0390-88)
Adopted Resolution No. 2005-6188.

2.9 OLD PALM AVENUE REVITALIZATION PROJECT – REQUEST FOR QUALIFICATIONS/PROPOSALS. (0620-20)

The Redevelopment Agency authorized staff to issue the RFQ/P for the Old Palm Avenue Revitalization Project.

2.8 ADOPT RESOLUTION NO. 2005-6191 APPROVING A TWO-YEAR CONTRACT WITH WALKE COMMUNICATIONS, INC. TO PROVIDE PUBLIC RELATION SERVICES. (0160-05)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER recommended approval of an agreement for \$40,000; he noted that the Sandcastle Committee would be encouraged to fund all or a portion of marketing services for the Sandcastle event and, if they are unable to fund it, the item would later be presented to Council for funding approval.

MAYOR ROSE noted that when the City Council agreed to forward fund two years of sponsorship for Sandcastle fireworks for 2006 and 2007, there was no intent to take away money from another service. She also commented that the Sandcastle Committee is in transition and she was hesitant to turn over public relations to them at this time. She urged Council to maintain control of media and press coverage; she also stated that a public relations professional is needed to handle such a huge event.

COUNCILMEMBER WINTER stated that for the first time in 25 years, the Sandcastle Committee will be under new management; she expressed concern that the Committee would not be able to fund public relations next year. She anticipated Sandcastle Committee's self-sufficiency in the future; however, she supported Walke Communications to continue with public relations coverage at this time; she also stressed the importance of ensuring that public relations is consistent for all special events.

COUNCILMEMBER JANNEY commented that incoming members of the Sandcastle Committee appreciate the services of Julie Walke; he encouraged Ms. Walke and staff for more media coverage next year.

COUNCILMEMBER MCCOY commented that when the City Council approved funding for fireworks, it was with the anticipation that Sandcastle Committee would step up to the plate and fund more items. She supported funding for one year for this particular aspect of the agreement, and then review it again after the next Sandcastle event.

MAYOR ROSE stated that Councilmember Winter had suggested looking at public relations for all special events. She anticipated looking at this during a workshop; she supported approval of the agreement for a 2-year cycle; she was hesitant turn over public relations at this time.

COUNCILMEMBER MCCOY was hesitant to support funding of publicity for a 501(c)(3); however, she recognized the need for increased publicity for the City's 50th Anniversary.

Discussion ensued.

MAYOR ROSE stated that the recommendation does not capture the intent or spirit of the discussion had with the Sandcastle Committee regarding the sponsorship of the fireworks and she supported an agreement for the next two years.

MOTION BY ROSE, SECOND BY MCLEAN, TO APPROVE A TWO-YEAR AGREEMENT WITH WALKER COMMUNICATIONS, INC. TO PROVIDE PUBLIC RELATION SERVICES WITH THE FOLLOWING CHANGES: \$30,000 WOULD BE TRANSFERRED FROM THE GENERAL FUND (ACCOUNT #101-0000-253-00-00) INTO THE ECON. DEV. – PROF. SERVICES FUND (ACCOUNT #101-1120-412-20-06) AND SPLIT EVENLY FOR THE NEXT TWO YEARS. MOTION CARRIED UNANIMOUSLY.

COUNCILMEMBER WINTER recommended future Council review of City's participation of media coverage for special events.

ORDINANCES - INTRODUCTION/FIRST READING (3.1)

3.1 AN ORDINANCE AMENDING CHAPTER 4.28 (MASSAGE ESTABLISHMENTS AND TECHNICIANS) OF THE IMPERIAL BEACH MUNICIPAL CODE. (0390-40)

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LOUGH reported that the ordinance would replace the Chapter relating to massage establishments and technicians, making it consistent with the cities of Encinitas and San Diego, which were found to be the best models for enforcement purposes; he noted that the ordinance bases regulations on training and certifications and sets quality standards in place for massage establishments.

Discussion ensued.

CITY CLERK HALD read the title of Ordinance No. 2005-1031, An Ordinance of the City Council of the City of Imperial Beach, California amending Title 4 (Business Taxes, Licenses and Regulations) Chapter 4.28 (Massage Establishments and Technicians) of the Imperial Beach Municipal Code.

MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READING OF ORDINANCE NO. 2005-1031 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.

ORDINANCES - SECOND READING & ADOPTION (4.1 - 4.2)

4.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2005-1028 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REPEALING CHAPTER 15.04 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE UNIFORM BUILDING CODE, 1997 EDITION AND SECOND READING AND ADOPTION OF ORDINANCE NO. 2005-1029 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING CHAPTER 15.06 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE CALIFORNIA BUILDING CODE, 2001 EDITION. (0390-60 & 0710-95)

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

CITY CLERK HALD read the titles of Ordinance No. 2005-1028, an Ordinance of the City Council of the City of Imperial Beach, California, repealing Chapter 15.04 of the Imperial Beach Municipal Code related to the Uniform Building Code, 1997 Edition and Ordinance No. 2005-1029, an Ordinance of the City Council of the City of Imperial Beach, California amending Chapter 15.06 of the Imperial Beach Municipal Code related to the California Building Code, 2001 Edition.

MOTION BY ROSE, SECOND BY MCCOY, TO DISPENSE SECOND READINGS AND ADOPT ORDINANCE NOS. 2005-1028 AND 2005-1029 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

4.2 SECOND READING AND ADOPTION OF ORDINANCE NO. 2005-1030 – ADOPTING NEW MONTHLY USER CHARGES FOR SANITARY SEWER SERVICE AND AMENDING SECTION 13.06.140 OF CHAPTER 13.06 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SEWER SERVICE CHARGES. (0830-90)

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD read the title of Ordinance No. 2005-1030, an Ordinance of the City Council of the City of Imperial Beach, California, adopting new monthly user charges for sanitary sewer service and amending Section 13.06.140 of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges.

MOTION BY ROSE, SECOND BY MCCOY, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2005-1030 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

WRITTEN COMMUNICATIONS (5)

None.

PUBLIC HEARINGS (6.1 - 6.2)

6.1 SEWER CAPACITY FEE PUBLIC HEARING. (0390-55)

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MOTION BY ROSE, SECOND BY MCCOY, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2005-6192 AUTHORIZING THE INCREASE OF SEWER CAPACITY FEES AND INCORPORATING SEWER CAPACITY FEE INTO THE MASTER FEE SCHEDULE. MOTION CARRIED UNANIMOUSLY.

REPORTS (7.1 - 7.4)

7.1 RESOLUTION NO. 2005-6190 ADOPTING REVISED ADMINISTRATIVE POLICY B-8; UTILITY UNDERGROUNDING COMMISSION CASE 8209 POLICY. (0810-95)

Item pulled by prior Council action.

7.2 SOLID WASTE DIVERSION (AB 939) TIME EXTENSION REPORT – AUTHORIZATION TO EMPLOY CONSULTANT. (0270-95)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item and recommended Council's approval of a consultant to assist the City with solid waste diversion (AB 939) compliance; he noted that the Navy's contribution to the waste stream is currently unmeasured, he commented that the activities at the NOLF have increased since 1990 and he stressed the importance of identifying the tonnage, as well as determining that their contribution is out of our control; the City is making a good faith effort to meet the 50% requirement. He responded to Council's concerns regarding measurement formulas, which are determined by the State.

COUNCILMEMBER WINTER stressed the importance of changing the measurement formulas at the State level.

COUNCILMEMBER MCCOY expressed concern about the item; she spoke of the need to reuse and recycle and she encouraged all to be proactive in recycling.

MAYOR ROSE requested that the waste stream issue be added to the next Military Affairs Subcommittee meeting agenda.

MAYOR PRO TEM JANNEY expressed concern about the Navy's contribution to the waste stream, and also expressed concern about multifamily and commercial properties that do not recycle.

COUNCILMEMBER WINTER expressed concern about residents using gray trash bins for overflow of green waste.

PUBLIC WORKS DIRECTOR LEVIEN responded that EDCO would take green waste free of charge.

MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2005-6193 - TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HILTON FARNKOPF & HOBSON TO PROVIDE CONSULTING SERVICES TO SUPPORT THE AB 939 COMPLIANCE EXTENSION REQUEST TO THE CIWMB, TO AUTHORIZE THE CITY MANAGER TO REALLOCATE GENERAL FUND MONEYS FROM OTHER OPERATING AND MAINTENANCE BUDGETS NOT TO EXCEED \$18,000. MOTION CARRIED UNANIMOUSLY.

7.3 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)

CITY MANAGER BROWN reported that Dr. Terrill is scheduled to give a presentation on the San Diego Coastal Ocean Observing System project (SDCOOS) at the August 3rd City Council meeting.

COUNCILMEMBER WINTER reported that the Final SEIS will be released on July 25th with a 30-day review period, and she spoke about the National Environmental Policy Act (NEPA) process.

7.4 FACADE IMPROVEMENT PROGRAM. (0640-20)

Item pulled by prior Council action.

REPORTS OF MAYOR AND COUNCILMEMBERS

COUNCILMEMBER MCCOY urged the City Manager to contact Gary Gallegos, Executive Director of SANDAG, to report on the workshops on housing and follow up on the grant for Old Palm Ave.; she reported that the wait time at the border is causing a \$19 billion loss; there are 75,000 U.S. citizens living in north Baja who are us citizens and she announced that she would not be at the next meeting.

CITY MANAGER BROWN announced that on August 8th, the League of California Cities – S.D. County Division would be arranging a workshop on ballot initiatives.

The meeting adjourned at 7:42 p.m.

Diane Rose, Mayor

Attest:
Jacqueline M. Hald, CMC
City Clerk